

### **REMARKS**

Claims 1-12 and 23 are now pending in the application. Claim 1 is amended herein. Claims 7-9 stand withdrawn. Claims 13-22 are cancelled herein. Claim 23 is added herein. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **SPECIFICATION**

The specification stands objected to for certain informalities. Applicants have amended the specification herein. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 102**

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Izzi, Sr. (U.S. Pat. No. 4,630,368). This rejection is respectfully traversed.

Claim 1 calls for "a handle including a handgrip portion and first and second blade mounting portions . . . wherein said handle is a single, integrally formed member." In contrast, Izzi, Sr. discloses a handle 17 mounted on a separate adapter 20, which includes a blade mounting right angular surface 23. See at least Figures 1-3 and column 2, line 52 to column 3, line 19 of the Izzi, Sr. reference. Thus, Izzi, Sr., does not disclose a single, integrally formed member having a handgrip portion and first and second blade mounting portions. Therefore, for at least these reasons, it is submitted that claim 1 defines patentable subject matter over the art. Accordingly, withdrawal of the rejection is respectfully requested.

### **REJECTION UNDER 35 U.S.C. § 103**

Claims 2 and 10-11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. Claims 3-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Coleman (U.S. Pat. No. 2,140,496). Claims 5 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Gunnerson (U.S. Pat. No. 2,782,821). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Izzi, Sr. in view of Coleman and Gunnerson. These rejections are respectfully traversed.

Claims 2-6 and 10-12 all depend from claim 1 and, therefore, for at least the reasons stated above with respect to claim 1, should also be patentable. Accordingly, withdrawal of the rejections is respectfully requested.

Furthermore, claims 3 and 4, as well as new claim 23, call for "wherein said first and second blade mounting portions each include a key adapted to be received in an end slot in said blade." However, the references do not disclose first and second blade mounting portions each having a key therein. Applicants respectfully disagree with the Examiner's characterization of Izzi, Sr. having first and second blade mounting portions. Assuming, *arguendo*, that two blade mounting portions are shown, Izzi, Sr. fails to disclose first and second blade mounting portions that each have a key therein. Coleman also fails to disclose first and second blade mounting portions that each have a key therein. In contrast, Coleman discloses a handle 1 having one lug (see lug 10 of Figure 2 of the Coleman reference) or two lugs (see lugs 31 and 32 of Figure 7 of the Coleman reference).

Applicants submit that there is no motivation or suggestion to combine Izzi, Sr. and Coleman and that any combination thereof requires impermissible hindsight. Rejections based on 35 U.S.C. § 103 must rest on a factual basis. In making such a rejection, the Examiner has the initial duty of supplying the requisite factual basis and may not, because of doubts that the invention is patentable, resort to speculation, unfounded assumptions or hindsight reconstruction to supply deficiencies in the factual basis. In re Warner, 379 F.2d 1011, 1017, 154 USPQ 173, 178 (CCPA 1967), cert. denied, 389 U.S. 1057 (1968). The mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification. See In re Mills, 916 F.2d 680, 682, 16 USPQ2d 1430, 1432 (Fed. Cir. 1990); In re Gordon, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984).

As stated in the Office Action, Izzi, Sr. "does not explicitly disclose surface 24 as a blade mounting portion." See page 3 of the Office Action. Coleman also discloses only a handle having a single blade mounting portion. See at least Figures 1-2 and 7-8 of the Coleman reference. Applicants submit that there is no motivation to combine two references which each disclose a single blade mounting portion to result in a handle including first and second blade mounting portions each having a key therein, as called for in Applicants' claims. Applicants further submit that any such modification of the prior art would require impermissible hindsight in view of the present application. Thus, for at least these reasons, it is submitted that claims 3 and 4 define patentable subject matter over the art, and withdrawal of the rejection is respectfully requested.

Additionally, it is submitted that claim 23 should also be patentable for the reasons discussed above.

Moreover, claims 5 and 12 call for "wherein said handle includes a hook member for hanging said handsaw." Applicants submit that there is no motivation or suggestion to combine Izzi, Sr. and Gunnerson and that any combination thereof requires impermissible hindsight. As stated in the office action, Izzi, Sr. fails to disclose a hook member on a handle. See page 5 of the Office Action. Gunnerson, therefore, is relied upon for a handle 15 including a hook portion. See at least Figure 1 of the Gunnerson reference. However, Gunnerson does not specifically call out or describe the hook portion of handle 15, much less disclose any motivation or suggestion for combining the feature with another disclosure. Accordingly, it is submitted that any combination of the hook portion of handle 15 of Gunnerson with Izzi, Sr. requires impermissible hindsight in view of the present application. Thus, for these additional reasons, Applicants submit that claims 5 and 12 define patentable subject matter over the art, and withdrawal of the rejections is respectfully requested.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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